

invasion of Iraq. Accordingly, he talked about how bad it would be and voted against it. CARL LEVIN was right and a lot of us were wrong. I have said before on the Senate floor, of all the votes I have cast during the time I have been in government, the worst was voting for the Iraq war. But I did. CARL LEVIN did not.

But for all of his accomplishments in Congress, his greatest achievements reside in his home. CARL and his wife of over 50 years, Barbara, have three beautiful daughters: Kate, Laura, and Erica. Landra and Barbara are good friends. They are part of a book club. They have had a wonderful relationship over these many years. So as CARL retires from the Senate, I know he is going to cherish the time he is going to spend with his family.

But also CARL and I have had a long, long ongoing conversation. He and his brother SANDER own about 100 acres. They have had it for a long time. CARL LEVIN is not a man of wealth, but he and his brother bought this 100 acres that has nothing on it but trees. He calls it his tree farm. He has shown me pictures of it. I have not seen it lately, but I have had for 15 or 20 years a hat he gave me—a green baseball-type cap—that says “tree farm” on it. I used to tell him I still have that cap. And I still have that cap, CARL.

He will be missed here in Washington. He will be missed in the Senate by all of us. But he will be missed more by his older brother SANDY, who is the ranking member on the Ways and Means Committee in the House. They have served together in Congress for 32 years.

I have said this on the floor before, and I will say it again. I will remember CARL LEVIN for a lot of things, but when I was in the House, I came over to visit with him. I was thinking about running for the Senate. I said: CARL, I came to the House with your brother SANDY. He looked up at me and said: SANDY is not only my brother, he is my best friend. That speaks well of the person who CARL LEVIN is.

It has really been a privilege and an honor to serve with CARL. I will miss him so very, very much. I will miss having somebody to take the difficult issues to, to get his view as to what we should do, how we should handle it.

His voice will be missed here in the Senate. I congratulate him on his incomparable career in the Senate, and I wish him the very best.

JAY ROCKEFELLER

Mr. President, it is said that you do not choose your family, and that is true. We are born into our families. We have no way to determine the family we are born into. Yet as a 27-year-old JAY ROCKEFELLER chose to make the people of West Virginia his family. How did that happen? How did JAY ROCKEFELLER, born in New York to one of the most famous American families, one of the great dynasties in the history of this country, end up in West Virginia?

He was an undergraduate student at Harvard. He decided he did not like

some of the things Harvard was doing, and so he left. He dropped out of school and went to Japan. He spent 3 years in Japan. He became an interpreter. He knows the Japanese language extremely well. He loves the Japanese people. He started out at Harvard. As I indicated, after his junior year, he left for Japan. He was there for 3 years. He came home, returned to Harvard, and finished his degree.

JAY ROCKEFELLER, as a 27-year-old, could have done anything, gone anywhere, gotten any education, started any business, or he could have sat around at a home on one of the beaches around the world and just done nothing. But that is not JAY ROCKEFELLER. He wanted to do something. He did not know what he wanted to do. This ROCKEFELLER wanted to do something that was different.

A friend of his published here for many years a magazine called the Washington Monthly, a guy by the name of Pete Peters. He was a man-about-town. Everybody liked him very much, but he was very close to JAY ROCKEFELLER. So JAY talked to him one day trying to find what he should do in life. Here he was, one of the wealthiest men in America. He had a Harvard degree.

“What should I do?”

Pete Peters told him: “What you should do is go someplace and work with poor people.”

“Where should I go?”

“Why not West Virginia?”

“West Virginia?”

“West Virginia.”

So he joined AmeriCorps. As a VISTA volunteer, he moved to the small mining community of Emmons, WV. That was in 1964. This man of means, this man of stature, this man of notoriety went to this small little town in West Virginia.

It was not easy for JAY ROCKEFELLER to suddenly find himself in a setting he had never imagined. In the first 6 months he was there, he could hardly get anyone to talk to him. He is kind of an intimidating man. His name is ROCKEFELLER. He is 6-foot-7. But eventually his goodness came through. The people of Emmons, WV, started talking to him, and they really liked the man. From 1964 when he moved there, he knew he wanted to identify with poor people, and that is what he has done since 1964.

In 1966 he was elected to the West Virginia House of Delegates assembly.

In 1968 he was chosen to serve as the secretary of state in the State of West Virginia.

He then became the president of West Virginia Wesleyan College and served there for 3 years.

He then was twice elected Governor of the State of West Virginia. He served from 1976 to 1984.

Governor ROCKEFELLER became Senator ROCKEFELLER in 1985. From the time he first stepped onto the Senate floor, he made it clear he was here for one reason: to fight for the people of

West Virginia. Senator ROCKEFELLER fought to provide his constituents with health care. He was an architect of CHIP, a children's health program. It is an insurance program. The Children's Health Insurance Program is one of the most important health initiatives in America's history for kids. He fought to protect Medicaid for half a million West Virginians but for millions and millions of Americans.

He has been a senior member of the Committee on Finance, the chairman of the Commerce Committee, and chairman of the Intelligence Committee. What a remarkable career he has had. He fought very hard to protect the American people from President Bush's efforts to privatize Social Security. He has protected retirement disability benefits by doing that for millions and millions of Americans.

His efforts to help West Virginia have not been confined to this building. As the senior Senator from West Virginia, this big man—I repeat, 6-foot-7—with a very, very long reach, has used that reach to bring jobs to his home State as Governor and as Senator. Because of his recruiting, there are thousands and thousands of West Virginians employed at the Toyota factory in Buffalo; Hino Motors in Williamstown; and at the Kureha plant in a town called Belle. Thousands and thousands of jobs. Diamond Electric, Nippon Thermostat, and NGK Spark Plugs are all companies Senator and Governor ROCKEFELLER helped bring to West Virginia.

The people of West Virginia have been blessed to have Senator JAY ROCKEFELLER as a family member for the last 50 years. They have been blessed to have a person of his integrity and tenacity looking out for them in the Senate.

My respect for JAY ROCKEFELLER is unlimited. He has been my colleague for the entire time I have been in the Congress—32 years. Now, as his time in the Senate comes to an end, he will be sorely missed.

I am sure JAY is looking forward to spending more time with Sharon, this wonderful, wonderful woman—and by the way, whose father was a U.S. Senator—and their children John, Valerie, Charles, and Justin, and their six grandchildren.

I so admire this good man. I congratulate him on a very distinguished career, including five terms in the U.S. Senate, two terms as Governor. I wish him the very best in life.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only until 5:30 p.m., with the time equally divided in the usual form.

The Senator from Utah.

TRIBUTES TO DEPARTING SENATORS

Mr. HATCH. Mr. President, I have only heard two of the comments of the majority leader—one for the distinguished Senator from Michigan and one for the distinguished Senator from West Virginia. I have to say that both of those Senators deserve a lot of commendation for the service they have given to the Senate. They are both friends of mine.

CARL LEVIN

Senator LEVIN has been a terrific, solid performer for the Democrats in the U.S. Senate, and he is an honest—totally honest—decent, honorable man.

JAY ROCKEFELLER

Senator ROCKEFELLER is on the Finance Committee with me. He is one of the senior people on that committee and certainly one of the people I have enjoyed working with. We worked a number of years ago on the CHIP bill, the SCHIP bill, and he was of inestimable help there. I have to say he has been a wonderful member of the very important Finance Committee.

I will miss both of these brethren and wish them the very, very best in their lives as they go through the remaining years of their lives, and hopefully they and their families will have a wonderful, wonderful time together.

PRESIDENT OBAMA'S IMMIGRATION EXECUTIVE ORDER

Mr. HATCH. Mr. President, as the Appropriations Committees prepare to release the product of their negotiations on a spending bill this afternoon, I rise today to discuss the troubling development that has made their work all the more challenging: President Obama's immigration Executive order. By circumventing Congress, the President has dispensed with the duly-enacted law of the land in a unilateral attempt to alter the legal status of millions of immigrants.

Unfortunately, this issue of Executive overreach is not a new one. Over the past year, I have come to the Senate floor repeatedly to lay out my objections to President Obama's lawlessness—from the release of Guantanamo detainees to ObamaCare, from his purported recess appointments to Benghazi. Today I come to discuss this latest astonishing instance in the area of immigration.

Immigration is a complex and divisive issue, and Americans hold a wide variety of views on the matter. But one thing that should not be controversial is the President's duty to place fidelity to the Constitution over partisan politics.

The Constitution vests lawmaking authority with Congress, not the President. And the Framers specifically sought to end centuries of abuses by the English monarchs, who claimed the

power to dispense with the laws of the land, by requiring the President to take care that the laws be faithfully executed. The Constitution does not suggest or invite the President to enforce the law; it obligates him to do so.

The President and his executive branch, of course, exercise prosecutorial discretion—the discretion to choose not to prosecute certain cases. But that power stems from considerations of fairness and equity in particular cases. Instead of requiring individualized determinations in specific cases, the President's latest Executive order claims the power to sweep up millions of people based on only a few broad, widely shared criteria.

The President is also within his rights not to prosecute when there are not sufficient resources to do so, but the Obama administration has never explained how the Executive order would save money. In fact, the administration's own policy advisers have acknowledged that a work permitting program will be expensive and will take away resources from law enforcement. While no one disagrees that capturing and removing violent criminals should be our highest immigration priority, President Obama has gone much further and made current immigration law essentially a dead letter for millions of illegal immigrants.

President Obama cannot credibly claim that he is attempting to execute immigration law faithfully when ICE agents were forced to release 68,000 potentially deportable aliens last year alone, when the administration took disciplinary action against ICE officers for making lawful arrests, and when the President of the National ICE Council felt compelled to testify before Congress that although “most Americans assume that ICE agents and officers are empowered by the government to enforce the law . . . nothing could be further from the truth.”

Moreover, despite the administration's claim to the contrary, President Obama's action is not comparable to the Executive actions taken by President Reagan or even President George H.W. Bush. Even the Washington Post's editorial board found that claim by the White House to be “indefensible.” Presidents Reagan and Bush simply implemented the enforcement priorities established in laws that Congress actually passed. By contrast President Obama has sought to change the law before Congress has acted, so he cannot rely on Congress's authority to enforce the policy he prefers. Here President Obama has acted directly in the face of congressional opposition, and we should call his Executive order what it is: an attempt to bypass the constitutionally ordained legislative process and rewrite the law unilaterally.

We are all sometimes disappointed and even angry about the outcomes of the legislative process. I have certainly felt that way many times over the course of my 38 years here. But the right response is to redouble our efforts

to get it right, not to try to subvert our constitutional system.

The President should heed his own wisdom from as recently as last fall when he said that by broadening immigration enforcement carve-outs “then essentially I would be ignoring the law in a way that I think would be very difficult to defend legally. So that is not an option. . . . What I've said is there is a path to get this done, and that's through Congress.”

Even beyond the legal and constitutional problems with the Executive order, the President's approach is also bad policy. His Executive order greatly undercuts the chances for lasting immigration reform because it undermines our confidence that the President will live with any compromises we agree to forge through the legislative process. The Executive order is even bad for those who are currently here illegally—those who are supposed to benefit from it. Instead of temporary half measures, they need the certainty that only legislation can provide.

Last month, in an election in which President Obama insisted that all of his policies were on the ballot, the American people delivered the President a decisive rebuke. Many of us from Congress took the right message from the election—that it is time for us to come together to find areas of agreement and to govern like adults.

Apparently President Obama missed that message. To announce this Executive order after the defeat at the polls displays shocking arrogance. Given how the White House and its allies in the media keep raising the specter of a shutdown or impeachment, it is clear the President is attempting to goad Congress into a fight rather than work with us in the difficult job of actually legislating.

Unlike President Obama, I am committed to making real progress toward implementing lasting immigration reform. I supported the Senate's comprehensive immigration bill last year. Even though the bill was far from perfect, I voted for it because I believe in working together to get something done on this vitally important issue. As I have long argued, the way to get real immigration reform back on track is not for the President to insist on his “my way or the highway” approach, either by trying to enact his preferred policy unilaterally or even for him to demand an all-or-nothing comprehensive bill. Instead we should consider individual immigration reform measures that can win broad support and help rebuild trust in our country. Only by doing so will we clear a path forward for other more far-reaching reforms.

Take the area of high-skilled immigration. We face a high-skilled worker shortage that has become a national crisis. In April for the second year in a row the Federal Government reached its current H-1B visa quota for workers just 5 days after accepting applications. Employers submitted 172,500 petitions for just 85,000 available visas, so